British Waterways

MOTORCYCLES ON TOWPATHS:

Guidance on managing the problem and improving access for all

June 2006

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PREFACE

This Guidance is an adaptation from internal guidance produced for British Waterways staff. It originates from a project commissioned from the Fieldfare Trust by BW. Its prime purpose is to suggest ways of dealing with the problems posed by unauthorised use of towpaths by motorcycles whilst trying to ensure the best access for legitimate users. BW recognises that the common response of erecting some type of obstacle or barrier too often hinders or presents legitimate access, particularly for disabled people.

The Guidance relates particularly to towpaths and the waterway network but has wider application. BW is aware that many other land owners and managers have to deal with the problem of illegal motorcycle use and the nuisance, damage and risk that it causes and is pleased to share this Guidance in the belief that it will be useful to others.

BW would welcome any feedback on its content and usefulness. Please contact Jim Langridge at British Waterways; jim.langridge@britishwaterways.co.uk

If you wish to reproduce or adapt any of the material, please acknowledge both British Waterways and the Fieldfare Trust.

1. INTRODUCTION

1.1 What does this Guidance do?

- helps you to carefully assess a motorcycle problem and formulate an appropriate response
- helps you consider management solutions other than a barrier
- where a barrier is considered necessary, reviews the pros and cons and impacts of various types of barrier

1.2 Why is the Guidance needed?

1.2.1 The motorcycle problem

Use of towpaths by people riding motorcycles creates a number of difficulties:

- Health and safety risks to other towpath users and motorcyclists themselves;
- Damage to towpath surfaces and other structures;
- Annoyance to other waterway corridor users;
- Annoyance to neighbouring communities.

These difficulties can vary greatly in extent and degree.

1.2.2 Problems with barriers

A common response is to erect a barrier or access control of some kind. Generally, if motorcycle access is restricted or prevented, so is access for legitimate users, particularly disabled people, older people or people with pushchairs. The needs of other users such as cyclists, anglers or horseboaters should also be considered. Responses other than erecting a barrier should always be considered first. It is questionable how effective barriers are in stopping motorcycle use anyway. Poorly designed barriers can also detract from the waterway environment.

1.2.3 Responsibilities of a service provider to disabled people

The DDA 1995 requires service providers to consider provision for disabled people equally with that of all other users. The DDA 2005, which amends the 1995 Act, requires providers to be proactive in the provision and promotion of their services to disabled people. There may be a particular vulnerability under the DDA in respect of barriers; they form an obstruction and have been put there by design.

The Code of Practice to the DDA says:
where a physical feature makes it impossible or unreasonably difficult for disabled people to make use of any service which is offered to the public, a service provider must take reasonable steps to:

- remove the feature; or
- alter it so that it no longer has that effect; or
- provide a reasonable means of avoiding the feature; or
- provide a reasonable alternative method of making the service available to disabled people.

'Reasonable' is not defined in the Act or its Code of Practice and is likely to be determined over time by Case Law. However, factors that might be considered in determining reasonableness include practicality, cost, health and safety and environmental and heritage aspects.

1.2.4 Deciding on an appropriate response

It is important that the extent and degree of a motorcycle problem is carefully considered, the risks assessed and an appropriate response formulated.

This Guidance will help you to do this.

It can also help you review the need for and effectiveness of the many existing barriers.

2. SOME EXISTING SOLUTIONS

There are a great many different barriers in use that attempt to address the issue of illicit motor cycle access.

Some of these may inconvenience or restrict legitimate users such as powered scooter users;

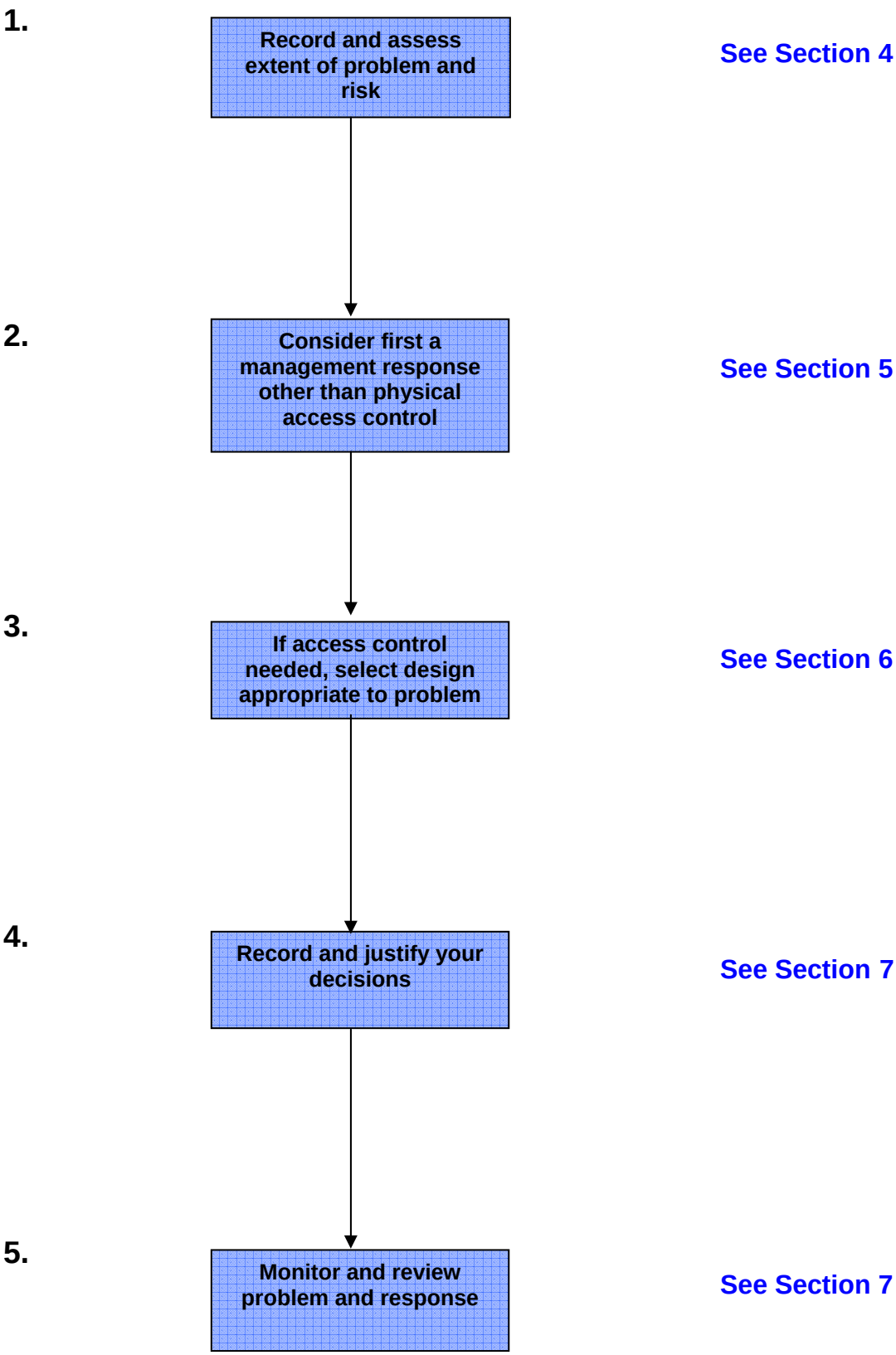
Some do not fully achieve the purpose for which they were installed;

Some are of doubtful value and/or have become obsolete

There are diverse and complicated designs in use……

…….that are not always used as intended

3. DECISION FLOWCHART



4. RECORDING AND ASSESSING THE MOTORCYCLE PROBLEM

4.1 The extent of the motorcycle problem should be recorded and assessed in order to guide the appropriate response.

4.2 Recording Incidents and Complaints

All complaints about motorcycles and any incidents should be recorded and should include the following where known;

- Direction of travel
- Speed of travel
- Presence or otherwise of barrier or other access control
- Access point onto towpath (if known)
- Exit point from towpath (if known)
- Description of motorcycle/motorcyclist
- Any previous unreported complaint/incident at/near this location

The police should be made aware of all complaints retrospectively if they are not involved at the time of the incident.

4.3. Surveillance

Managers may be aware of a problem where no formal complaint has been received. Some idea of the nature and extent of the problem can be gained by observing the relevant stretch of towpath over a period of time. This may prove difficult if motorcycle use is intermittent and irregular. Observers could be deployed for short periods, say 1 - 2 hours at different times of day, over an extended period. It should become apparent if there are particular times when surveillance will be more productive, such as in the evenings, at weekends or during school holidays. Obviously, care in avoiding unpleasant or dangerous confrontation needs to be exercised.

CCTV is another option for surveillance. However, many unauthorised motor cyclists do not have registration numbers and cannot be easily identified except from their vehicles or clothing. Advice from the police and local authority CCTV operation should provide guidance on its cost effective use.

4.4 Incidents and near misses

A serious incident will influence the priority given to taking action. Near misses are also important in prompting action so that something more serious is avoided in the future. The experience of British Waterways staff suggests that where serious incidents occur and where near misses are properly recorded there is more likelihood of police involvement.

4.5 Risk assessment

A risk assessment should be prepared in any instance of motorcycle use of the towpath, whether or not an incident or near miss is reported. Three main factors need to be considered:

- how likely is an accident
- how severe would the consequences be of an accident
- what are the costs of remedial action to reduce the risks

The following are factors that might increase the likelihood of an accident resulting from unauthorised motorcycle use of the towpath:

- A mix of legitimate uses taking place
- Character of legitimate users (e.g. children, elderly people)
- Character of towpath (e.g. a wide towpath may encourage speeding whilst a narrow one may restrict speeds)
- Condition of towpath (e.g. narrow, poor sight lines, poor surface)
- Severity of incident/accident
- Speed of unauthorised users

- Proximity of canal (e.g. risk of drowning)
- Canal bank construction

4.6 Categories of risk and appropriate action

Following recording and risk assessment, it is suggested that unauthorised use should be categorised as presenting **minimal, moderate** or **severe** risk and action taken appropriate to the level of risk and extent of the problem**.**

Minimal risk
Actions may be limited to Management Responses (see Section 5). Consultation and relationship building with local community should be addressed even in these circumstances. (See Section 8). Only if further review indicated a lack of success should actions such as 'Motorcycle calming' or enforcement be pursued.

Moderate risk
Appropriate actions might include a combination of the Management Responses as above and physical measures to slow and inconvenience motorcycles (but without excluding legitimate users), and/or actions of enforcement with other agencies. Consultation with other users is important if calming measures are planned.

Severe Risk
Enforcement and motorcycle restricting barriers are more likely to be used here. If barriers are planned their impact on other users should be assessed and recorded and users should definitely be consulted. Information and education activities may form part of the response and might be concentrated on developing community awareness and support.

Any course of action should be proportionate to the problem and the nature of the risk.

5. MANAGEMENT REPONSES
Other than physical access controls

5.1 Management responses should be considered first and a physical access control only employed if these responses are likely to be inadequate . There may be occasions when management responses need to be used in combination with an access control. It may be argued that some of these measures will require a substantial staff resource, but this should be balanced against the cost of installation and maintenance of a barrier, including repairing all too common damage and vandalism, and the actual likely effectiveness of a barrier.

5.2 Patrol and presence
If clearly identifiable staff are visible on a regular basis, motorcycle users may perceive their risk of being caught and/or prosecuted as unacceptable. Advice should be sought from the police about the right to stop motorcyclists and the risk from accident or assault.

Liaison with the police (see 5.4 below) may result in enforcement days on hotspot sections.

5.3 Discouragement
Where the motorcycle users are known, it may be possible to discourage them by showing they have been identified and that further action will be taken if their activities continue. Where offenders cannot be identified, schools, clubs, retail outlets, petrol stations etc may be happy to pass on messages about the safety risks of unauthorised use of the towpath, its illegality and the intention to prosecute where possible. Some Community Safety Partnerships issue leaflets on the problem for distribution to both riders and victims.

Installation of CCTV can act as a discouragement. Even dummy cameras may have an impact.

5.4 Involvement of the police and prosecution
As highlighted in para 4.2 the police should be made aware of incidents, but will not be expected to act on all reports. However, well documented evidence will enable them to obtain a true picture of the motorcycle problem in a particular location and can help in persuading them to take action.

Successful and well-publicised prosecution could have more immediate and possibly lasting effects than the installation of physical barriers and there are a number of possibilities that may be worth pursuing.

The following legal powers have been used in addressing the problem:

- Section 34 of the Road Traffic Act 1988 gives general prohibition of driving motor vehicles other than on roads without lawful authority
- Section 59 of the Police Reform Act 2002 gives police the powers to confiscate vehicles used in a manner causing alarm, distress or annoyance. A warning must be given first, but this legislation has been successfully used to seize vehicles
- Use of a motor vehicle without insurance on a road or **other public place** is an offence under Section 143 of the Road Traffic Act 1988 and the Motor Vehicles (Compulsory Insurance) Regulations 2000.

Prosecutions can be pursued directly through the Police or in partnership with Local Authorities. Depending on circumstances action could be taken for contravention of Byelaws, the Acts described above, the Anti Social Behaviour Act or the Nuisance Neighbour Act The police could be directly engaged in any of these and there might be support from the Local Authority in respect of the Anti Social Behaviour Act and the Nuisance Neighbour Act. A number of Local Authorities have Community Safety Officers or Anti Social Behaviour Officers who could be important partners. It may be worth developing local relationships in order to assess the avenues available and the likely level of support.

It is important to consider the need for training of staff in both personal safety and technical evidence gathering. The process of information gathering and recording is key as identification of the individual is essential.

The illegal use of motorcycles is not of course confined to canal towpaths and towpaths are often used as convenient routes to get to other sites. It may well be worth making alliances with other land managers in the area, such as countryside managers, parks staff, private landowners, farmers etc who are also suffering from the problem, in building up a picture of the extent of the problem and in approaching the police or other authorities.

5.5 Information and Education

5.5.1 Signage

Considering the extent of the problem, it might seem surprising that there are few if any signs conveying a 'no motorcycles' message. Where they do not exist a motorcyclist could plead ignorance when challenged about their use of the towpath. The inclusion of 'no motorcycles' signs at points of access, including at existing access controls, would give a clear message to motorcyclists and offer some explanation to legitimate users where it has been necessary to install physical barriers.

The issues of clutter on the towpath and of giving too many negative messages are, of course, real ones but it may be possible to add 'no motorcycles' signs at trouble spots where other existing signage is in place, for example Cycleway signs.

5.5.2 Printed information

Printed information should be used to;

- identify and raise awareness of the motorcycle problem
- target the message at motorcyclists
- encourage the involvement of legitimate users and the local community
- advise on actions to be taken
- inform people how they can help with reporting of incidents.

It can include articles in the local press, leaflets distributed locally, use of local organisation or club newsletters, flyers targeted at motorcyclists through retail outlets, e.g. motorcycle sales and accessories and petrol stations.

5.5.3 Organised Groups

Personal contact and communication with organised groups or clubs may significantly help the information and education approach. Contact might be made with local motorcycle clubs, schools, youth clubs etc.

5.6 Diversionary activities

There may be advantage in gathering information on legitimate venues for off highway motorcycling. This will be useful both as part of an information and education campaign and in any personal encounter with motorcyclists on the waterway. You should consider the benefit of working in partnership with local authorities, youth services, probation service, Groundwork Trusts etc in helping to establish such clubs.

5.7 Encouraging other users

By ensuring that the waterside environment is well managed and welcoming for all users, the sense of safety felt by legitimate visitors will be enhanced. Where levels of use by organised groups, families and local communities is increased, this can a have a discouraging effect on motorcyclists.

6. ACCESS CONTROLS; SELECTING AN APPROPRIATE DESIGN

6.1 The general response to a motorcycle problem has been to erect a barrier or other access control**. You should consider management responses first, as described in Section 5, and only install an access control if other responses have been discounted or exhausted.**

6.2 Assessment
You should assess the problem and attendant risks as in Section 4 and only consider an access control if the management responses in Section 5 are unlikely to be effective on their own.

Any design solution must be proportionate to the problem and ensure that wherever possible other legitimate users are not unreasonably affected.

6.3. **Design of access controls**
A good design will not only be effective in doing its job but will also look well in its setting, taking account of landscape and heritage considerations.

It is important that ALL potential users, including the 15-20% of the population who have disabilities, should be able to enjoy access to our waterways without impediment. Nevertheless, in circumstances of considerable nuisance or damage, or threat to the safety of other users, there is likely to be a need to consider an access control. Controls can be broadly grouped into those intended to result in **inconvenience** to, **restriction** of, or **exclusion** of, unauthorised users. Their impact on legitimate users must always be carefully considered.

Design solutions which aim to inconvenience or restrict some motorcyclists can reduce misuse to tolerable levels. Barriers which aim at absolute exclusion will clearly be expected to achieve that purpose. However, determined motorcyclists will often go to extreme lengths, including vandalism, to cross a barrier.

Consider also surrounding boundaries; if these have weak points or are too low, motorcyclists will easily circumvent a barrier.

If a physical control has to be installed, consider whether it is suitable to locate it at an access point rather than across the towpath itself.

The objective of total exclusion may never be one hundred percent achievable and must be seen alongside the certainty that considerably more legitimate users will also be excluded.

See Section 9 for analysis of impacts of various types of control on both motorcyclists and legitimate users.

6.4 Inconvenience
The range of access controls that will inconvenience motorcyclists while allowing access to legitimate users includes;

- simple width restrictions in the direction of travel
- simple width restrictions angled to the direction of travel
- some pedestrian gate arrangements
- wide chicanes
- large refuge kissing gates

6.5 Restriction
The Restriction category of access control involves traffic calming methods to slow motorcycles down and make a towpath less attractive to use. The range of controls in this group includes;

- chicanes
- wheelchair accessible kissing gates
- A-frame barriers or Motorbike Inhibitors

6.6 Exclusion

The risk assessment may conclude that public safety requires more stringent action, i.e. a design which aims to exclude motorcyclists altogether. Pedestrians and cyclists may experience some inconvenience but will not be excluded. However, many others including people with pushchairs, wheelchair users and mobility vehicle users will encounter increased difficulty. Some may be excluded from the waterway altogether. If this is the case, you should promote access at another location to compensate for the closure.

The range of controls in this group includes:

- narrow chicanes with National Key Scheme (RADAR) locked gates to the side,
- pinchpoints (<600mm wide),
- variations on the above with associated height restrictions

6.7 Adjustable designs

Motorcycle problems are likely to change over time and shift in location. Consider using barriers that are adjustable or which can be easily modified as the problem diminishes or increases. This might be through integral adjustability or changes to installation. Examples might be an A frame barrier with adjustable width, or a standard size reusable chicane capable of being fitted into, and removed from, lockable sockets. Such barriers which have served their purpose can be withdrawn and more easily reused at other locations.

6.8 Consideration of other types of access needed

The impact of any kind of physical access control on all types of user on both the towpath and the water needs to be carefully considered. In particular you may need to consider the following; cyclists may be legitimate users, horse-drawn boats may wish to use the stretch of canal in question (the Horseboating Society has produced a towpath access guide --see Appendix 1), anglers may need to be able to gain access, canoeists may require portage at certain points and there may be a need to allow plant on to the towpath for maintenance.

6.9 Maintenance

Any barrier with moving parts will be prone to wear and tear. Use and abuse over even short periods of time can render designs unusable to some. This is particularly true of latched and locked gates, including those using National Key Scheme (RADAR) locks.

As has been the experience at a number of locations, degrees of vandalism can be expected however robust the construction appears to be. A regime of inspection and a plan for remedial action should be in place to deal with this from the outset. When designing barriers, managers should consider the ease and cost of repair as it is sometimes necessary to repair a single barrier repeatedly until the problem is overcome. Prompt repair of damaged structures sends a clear and important message.

Where a barrier is no longer effective, and particularly when its resultant condition still excludes some legitimate users, it should be removed or repaired.

Surface condition in and around barriers should also be well maintained to prevent any additional difficulty for users.

6.10 Consideration of landscape character and heritage

> *Good design is appropriate, fits well with the context and is in harmony with the canal environment, its heritage, wildlife, functional and visual aspects.*
>
> Introduction to BW Design Manual: Volume 3 Landscape

A barrier or other access control should both reflect and respect the waterways environment. Account should be taken of local character and vernacular of waterway structures and furniture and the heritage of the particular canal and its surroundings. Appearance, scale,

details and colours used are all important. The structure must be robust enough to fulfil its function and withstand wear and tear and, as far as possible, abuse or vandalism.

In designing a barrier, consider whether it may be sufficient to install access controls off the towpath line, e.g. at access points, on access ramps etc. Use existing boundary walls or fences wherever possible, e.g. as the third side of a chicane. This minimises construction, is cheaper and is less intrusive.

6.11 Incorporating artwork

The creation of a new structure or series of structures such as access controls can offer the opportunity to incorporate artwork. This can add interest to the canal environment and directly involve users and the local community in considering and designing them.

Remember that the design must be functional and, as described above, must not detract from the waterway environment. However, be imaginative and remember that in many circumstances an exciting or unusual design can considerably enhance the interest of the canal environment as long as it is in harmony and proportion with what surrounds it, fits with the landscape and heritage and is pleasing to look at and touch.

An access control can actually become a welcoming ‘gateway’ to a stretch of canal, highlighting it as an access route or interpreting it to the user. A series of access controls can develop a theme, perhaps based on local features or history suggested by the local community.

The local authority, regional Arts Council or organisations such as Groundwork will know of community artists who may be interested in such work.

6.12 Public Rights of Way

Where a towpath forms part of a Public Right of Way, as defined on the Definitive Rights of Way map, the local highway authority should be consulted before a physical access control is installed.

7. RECORD, MONITOR AND REVIEW

7.1 You should record and justify plans and actions at each stage of the process and monitor their effectiveness and any change in the scale of the problem. The response should be reviewed in respect of its impact:

- If the problem diminishes opportunities should be taken to relax measures or adjust or remove any access control
- If limits on legitimate access result from the installation of access controls, the opportunity should be taken to trial their removal
- If the initial course of action is unsuccessful, action from the next highest category of risk could be pursued.

The use of adjustable or otherwise flexible designs as described in 6.7 will be helpful if there is a need to relax or step up the response.

7.2 Recording and subsequent monitoring and review can act as evidence should you be required to justify any decisions you have made, for instance if the DDA is invoked.

7.3 There are a lot of existing barriers on the waterway system, some of which have been in place for many years and many of which are either redundant, damaged or both. This process should be used to review the need for them and their effectiveness.

8. THE IMPORTANCE OF CONSULTATION

8.1 If you are going to install an access control, it is important to inform and consult with users and potential users, including the disabled and the wider local community, before doing so.

8.2 Consultation

- ensures local needs are taken into account
- offers the opportunity to seek views on the extent of the problem and the level of control needed
- offers the opportunity to inform people of the implications of different options for access control
- offers the opportunity to seek views on the suitability of a stretch of towpath etc for different types of user
- is likely to increase support and buy-in for the response you decide to make to the problem

Contact with local disabled groups can be made via the local authority access officer, Council of Voluntary Service, Social Services, disabled ramblers groups, Local Access Forum or your own users.

9. THE IMPACTS OF VARIOUS DESIGNS on both motorcycles and disabled users

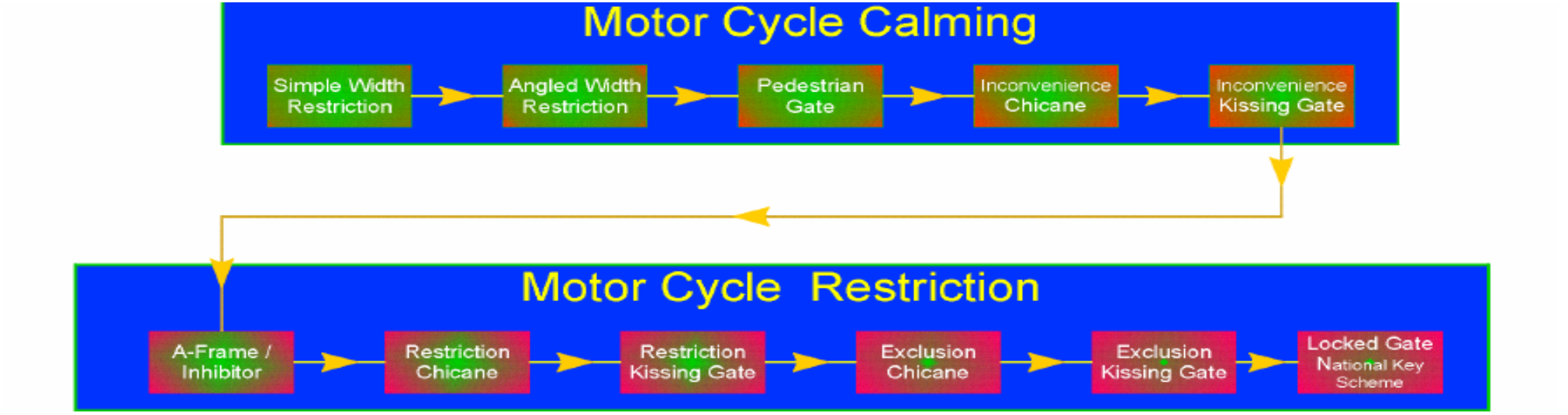
9.1 Access Control Sequence

The sequence below illustrates how types of access control apply to motorcycles. The degree of impact on disabled people will differ significantly depending on the nature of their disability.

The effect of even the least restrictive controls can be considerably increased if a number are used in close proximity.

The table that follows in 9.2 analyses impacts on both motorcycles and disabled people and highlights the management issues that arise from various types of access control.

Reference should be made to Section 6 Selecting an Appropriate Design of Access Control



9.2 Impacts and management issues of access controls

Motorcycle calming/inconvenience			
Access control	**Impact on motorcycles**	**Impact on disabled people**	**Management issues**
Simple width restriction	• no motorcycles will be excluded • some motorcycles will have to slow	• All wheelchair and powered scooter users able to pass; • some visually impaired users would benefit from cues (tactile and/or visual)	• simple and inexpensive approach unlikely to have a negative impact on legitimate users • minor inconvenience to most motorcyclists
Angled and combination width restrictions	• no motorcycles will be excluded • most motorcycles will have to slow	• All wheelchair and powered scooter users able to pass (based on widest turning radius); • some visually impaired users would benefit from cues (tactile and/or visual)	• simple and inexpensive approach unlikely to have a negative impact on legitimate users • minor inconvenience to most motorcyclists
Pedestrian gate	• no motorcycles will be excluded • all motorcycles will have to slow down • some motorcycles will have to be dismounted	• All wheelchair and powered scooter users able to pass • some visually impaired users would benefit from cues (tactile and/or visual) • a problem for some people with reach and dexterity difficulties • two-way self-closing mechanisms without latching or with easy latching preferred	• greater inconvenience for motorcyclists is achieved; may result in action against the barrier • moderate expense but on-going maintenance needed • latches will increase problems for people with reach and dexterity difficulties
Inconvenience chicane	• no motorcycles will be excluded • most motorcycles will have to slow, be dismounted and manoeuvred	• Nearly all wheelchair and powered scooter users able to pass; • Some wheelchair and powered scooter users who find it difficult to manoeuvre may find it inconvenient;	• may be too costly to install in comparison with other non-restrictive traffic calming options • significant width is required for installation
Inconvenience kissing gate	• no motorcycles will be excluded except largest trail bikes • most motorcycles will have to slow, be dismounted and manoeuvred	• all wheelchair and powered scooter users able to enter refuge of kissing gate • all users need to manoeuvre, including reversing, and move gate to pass	• the wider the gate, the more manoeuvring space available to enter refuge • latches will greatly increase problems for people with reach and dexterity difficulties

Motorcycle restriction and exclusion			
Access control	**Impact on motorcycles**	**Impact on disabled people**	**Management issues**
A-Frame barrier or Motorbike Inhibitor	• depends on installation width, whether barrier is one or two-piece in construction and/or has integral adjustability • small modern scooters and mini motorcycles may still be able to pass but will have to slow • other motorcyclists will have to slow and likely to require dismounting and manoeuvring	• Depending on width of installation, most wheelchair and powered scooter users able to pass; • largest Class 3 vehicles may be excluded • visually impaired users may find it inconvenient or even a barrier • some visually impaired users would benefit from cues (tactile and/or visual)	• likely to be the point in the sequence where, if desired effect on motorcyclists is to be achieved exclusion of some legitimate users will result • integrally adjustable versions may be costly adjustable/flexible versions may be used elsewhere if the problem declines thereby reducing costs
Restriction chicane	• restricts trail bikes longer than 1945mm • small modern scooters and mini motorcycles may still be able to pass but will have to slow, be dismounted and manoeuvred • larger motorcycles that can be lifted at least on to rear wheel able to pass	• most manual, electric and attended wheelchairs will be able to pass • most wheelchair and powered scooter users will have to do more manoeuvring to pass • users of larger powered scooters may have to be able to reverse • some users may not be able to pass	• considered less restrictive than largest kissing gate • requires users to manoeuvre but does not require reach or dexterity capabilities • requires wider towpath than inconvenience kissing gate
Restriction kissing gate	• Trail bikes will be restricted • small modern scooters and mini motorcycles able to pass	• all wheelchair and powered scooter users able to enter refuge • many more wheelchair users and powered scooter users not able to pass as cannot manoeuvre in the confined space • need to move gate will remain a problem for people with reach and dexterity difficulties	• the wider the gate the more manoeuvring space is available to enter refuge • latches will greatly increase problems for those with reach and dexterity difficulties • significant width required for installation
Exclusion chicane	• all except mini motorcycles restricted • small modern scooters and mini motorcycles may still pass but will have to slow, be dismounted and manoeuvred • larger motorcycles that can be lifted on to rear wheel able to pass	• significant restrictions imposed on the range of disabled people able to pass • only those who can manoeuvre in a confined space able to pass	• significant width required for installation • may be costly to install

Access control	Impact on motorcycles	Impact on disabled people	Management issues
Exclusion kissing gate	• all motorcycles except mini motorcycles restricted • larger motorcycles that can be lifted on to rear wheel able to pass	• approximate 20% of manual and electric wheelchair users restricted as will many wheelchair users with attendants • only half of powered scooter types able to enter refuge and not all able to manoeuvre to pass	• significant width required for installation • may be costly to install • need to move gate will remain a problem for people with reach and dexterity difficulties
National Key Scheme (RADAR) locked gate (used in combination with other barriers)	• will restrict all motorcyclists on ground though any which can be lifted can gain access (also depends on adjacent features)	• will restrict all users without National Key Scheme keys (unless adjacent feature affords access) • key use may preclude users with dexterity difficulties • visually impaired users may find it inconvenient or even a barrier	• locking arrangements associated with public access carry both maintenance and abuse implications • NKS keys may easily be sourced by motorcyclists • if selected can be used in tandem with access for plant

Appendix 1. Further information

1. Countryside Access for All Standards.
Formerly the BT Countryside Access for All Standards, these are the nationally recognised standards for access to the countryside. They detail parameters for various levels of access appropriate to the setting and likely use.

Available from the Fieldfare Trust

See www.fieldfare.org.uk

2. By All Reasonable Means: Inclusive access to the outdoors for disabled people. Countryside Agency October 2005. CA215
A comprehensive guide which sets out a framework for enabling the best feasible access in the countryside from policy making and strategy setting through training, audits to work on the ground. It includes advice on information people need, improving transport accessibility etc.

Available from Countryside Agency Publications

See www.countryside.gov.uk

3. Horse drawn boats
The Horse Boating Society has produced a Towpath Access Guide.

See www.horseboating.org.uk

Appendix 2 Review of current access controls

Illustration and review of some of the access controls currently in use on the canal system and elsewhere. The illustrations show only some of the diversity in design and situation.

1. Obsolete and redundant barriers

These examples no longer perform the function for which they were originally installed. Gaps within or adjacent to the barriers mean they no longer restrict motorcycle use

2. A-Frame barriers

Where these barriers have the gap between the bars reduced to restrict motor cycles they will inevitably restrict many disabled users. They may also inconvenience other users.

3. Combination barriers

Where barriers are used in combination the impact of each element should be carefully evaluated. The least restrictive element for disabled people is likely to be the least restrictive for motor cycle users. If gates are left unlocked they will restrict very few users, either legitimate or otherwise, and will bring into question the value of other elements in the combination.

4. Chicanes

There are many different chicane styles across the canal network and their size varies considerably. All these examples would impose some restriction or exclusion on some disabled users.

5. Gates

Gates across the canal system also vary enormously. The key factors with respect to their accessibility for disabled people relate to their opening width and direction and whether they have latches or locks. Gates with latches that are easily used from both sides and that open both ways are likely to be less restrictive. The need for a gate rather than a gap should always be questioned.

Two gate designs recently installed on the British Waterways system

The gate pivots on a central hinge and allows wheelchairs through but motorised buggies will experience difficulty.

Has the appearance of conventional wooden gates but made of steel. Allows motorised buggies through. A third barrier can be added to further impede trials bikes. The height makes it very difficult to lift bikes over.

Appendix 3 Summary of accessibility issues for users with disabilities

People are enormously diverse in their needs and capabilities. Disabled people are not at one end of a spectrum from super-fit to totally immobile; rather they are interspersed within the general population. Everyone is affected by the restrictions to access created by inadequate surfaces, overgrown vegetation and man-made furniture such as stiles. However, the restrictions others may face and overcome become impassable barriers for some disabled people.

The difficulties outlined above do not just apply to disabled people. Children may not be very strong; someone who has left their glasses at home may temporarily have poor vision; parents with children in pushchairs share some common access problems with wheelchair users. Some elderly people may not have a specific disability but may be, or may feel, restricted by their overall fitness or confidence. There is a tendency to follow the line of least resistance when moving through the countryside and the achievement of the least restrictive option will suit a lot of people.

People with visual impairments
• they may be in danger from over hanging obstacles • on narrow paths they may find it difficult to pass other users • irregular or uneven surfaces may cause them to trip • they may be unable or unwilling to use stiles • gates with unusual latches or complicated fencing arrangements may be difficult to use • paths with poorly defined edges may be difficult to follow
People with dexterity difficulties
• latches on gates may be difficult to operate • they may be unable or unwilling to use hand hold on stiles hand rails on bridges or steps may be difficult to grasp
People with reaching difficulties
• gate latches may be difficult to operate • hand holds and hand rails may not be within reach
People with balance difficulties
• on narrow paths they may find it difficult to pass other users • irregular or uneven surfaces may cause them to trip • gradients along or across the path may cause them difficulties they may not be able to negotiate steps
People with strength or stamina difficulties
• gradients along the path may prevent them from progressing comfortably • a lack of resting points may limit their range • gates that are stiff or have heavy self-closing mechanisms may prevent them getting through • they may not be able to use sprung or stiff latches on gates • they may not be able to negotiate even quite short flights of step
People with difficulties walking
• irregular or uneven surfaces may cause them to trip • they may be unable or unwilling to use stiles • if using sticks or crutches gaps in the surface (grilles, board walks) may cause difficulties • on narrow paths they may find it difficult to pass other users • gradients along or across the path may cause them difficulties • they may be unable to manoeuvre through kissing gates or hold self closing gates open to pass
People using wheelchairs
• irregular or uneven surfaces may stop them or restrict their progress • gradients along the path may be impassable or unduly restrictive • gradients across the path may make progress strenuous, uncomfortable or impossible • steps and stiles may be an impassable barrier • gates

Appendix 4 Mobility vehicles and recreational use
(Including wheelchairs and electric scooters)

In Highway legislation these vehicles are referred to as ‘Invalid Carriages’, However as the legislation is applied, they are not defined as vehicles and are therefore entitled to be used in many circumstances where pedestrian access is the norm or where access is restricted to pedestrians.

Classes of mobility vehicle
Three types of 'invalid carriage' are defined in 'The Use of Invalid Carriages on Highways Regulations 1988':

- Class 1 - manual wheelchair, i.e. self-propelled or attendant-propelled, not electrically powered;
- Class 2- powered wheelchairs and scooters, for footway use only with a maximum speed limit of 4 mph;
- Class 3- powered wheelchairs, and other outdoor powered vehicles, including scooters, for use on roads/highways with a maximum speed limit of 8 mph and facility to be restricted to 4 mph on footways.

All Class 1 and 2 vehicles may be used on suitable towpaths where there is access for the public.

Class 3 vehicles requirements
A Class 3 vehicle is not legally defined as a motor vehicle. However, the law does restrict use of a Class 3 vehicle to disabled people aged 14 or over.

The vehicle must have certain construction features, including:
• a maximum unladen weight of 150 kg (330 lbs);
• a maximum width of 0.85 metres (2'9");
• a device to limit its speed to 6.4 kph (4 mph);
• a maximum speed of 12.8 kph (8 mph);
• an efficient braking system;
• front and rear lights and reflectors, and direction indicator which are able to operate as a hazard warning signal;
• an audible warning instrument (horn).

Class 3 vehicles may be used on suitable towpaths when their speed limiter is engaged. The dimensions and appearance of Class 2 and 3 vehicles can be very similar.

Consideration needs to be given to the suitability of the towpath for these vehicles, particularly the larger Class 2 and 3 vehicles, through risk assessment. You are advised to involve local users in this assessment. See Section 8 on Consultation.